

COHEN, SEGLIAS, PALLAS,
GREENHALL & FURMAN, PC
Steven D. Usdin, Esquire
Nella M. Bloom, Esquire (NB3891)
30 South 17th Street, 19th Floor
Philadelphia, PA 19103
Tel: (215) 564-1700
Fax: (215) 564-3066
Email: susdin@cohenseglias.com
nbloom@cohenseglias.com

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:

NEW JERSEY MOTORSPORTS PARK, LLC, *et al.*,

Debtors

Chapter 11

Case No. 11-16752 JHW

Jointly Administered

**APPLICATION TO EMPLOY ACCOUNTANT PURSUANT TO
SECTIONS 327 AND 1103 OF THE BANKRUPTCY CODE**

New Jersey Motorsports Park, LLC (“NJMP”), New Jersey Motorsports Park Operating Company, LLC (“Operating”), New Jersey Motorsports Park Urban Renewal, LLC (“Urban Renewal”), and New Jersey Motorsports Park Development Associates, LLC (“Development”) (collectively the “Debtors”) hereby apply to this Court for authorization to employ Mercadien, PC as their accountant pursuant to Title 11, Chapter 11 of the United States Code (the “Bankruptcy Code”), §§ 327 and 1103 (the “Application”), and Rule 2014-1 of the Local Rules of Bankruptcy for the District of New Jersey (the “Local Rules”), and in support thereof, avers as follows:

1. On March 7, 2011 (the “Petition Date”), voluntary petitions pursuant to Chapter 11 of Title 11 of the United States Code (the “Petition”) were filed by each of the Debtors, and Orders for Relief have been entered by the Court.

2. On the the Petition Date, the Debtors also filed a motion for joint administration of their cases. This motion was granted on March 10, 2011.

3. The Debtors maintain control of their businesses pursuant to sections 1107 and 1108 of Title 11, Chapter 11 of the United States Code (the "Bankruptcy Code").

4. In managing their businesses, the Debtors have determined that it is in their best interest, and the interests of their creditors, to employ a qualified accounting professional to audit their books and records, prepare their state and federal tax returns, and aid them in the reorganization process.

5. The Debtors have determined that Mercadien, PC ("Mercadien") is the accountant best qualified to provide professional accountant services. Mercadien has had extensive experience in matters of this character.

6. The professional services which Mercadien will render include, but are not limited to: preparation of state, and federal tax returns; an audit of the Debtors' books and records for submission to other entities; and generally assisting the Debtors in the administration of their estates.

7. To the best of the Debtors' knowledge, Mercadien represents no other entity in connection with this case, is a disinterested person, and represents or holds no interest adverse to the interests of the estate with respect to the matters upon which they are to be employed, except that Mercadien has performed services for the Debtors prepetition, having served as independent outside auditor and tax preparer for the Debtors for approximately two (2) years. An Affidavit of Proposed Accountant supporting this belief is attached hereto.

8. I have agreed to guarantee the fees to Mercadien in the event that the Debtors do not have the ability to pay Mercadien its fees as approved by this Court.

9. The Debtors accordingly request that they be authorized to employ Mercadien under a general retainer to provide professional accounting services effective as of the date of the filing of the bankruptcy petition in this matter, with compensation to be such amount as this Court may allow upon application presented in accordance with the Bankruptcy Code.

WHEREFORE, your applicants pray for the entry of an Order in the form annexed hereto, for which no prior application has been made.

Respectfully Submitted,

By: /s/ Lee Brahlin

**Lee Brahlin, Co-Managing Member,
New Jersey Motorsports Park, LLC**

DATED: March 14, 2011